



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Shaun A. Kirkpatrick

**Examiner:** L. Gansheroff

**Serial No.:** 09/433,429

**Art Unit:** 1636

**Filed:** November 4, 1999

**Docket:** 11160

**For:** PRODUCTION OF A BIOLOGICAL  
FACTOR AND CREATION OF AN  
IMMUNOLOGICALLY PRIVILEGED  
ENVIRONMENT USING GENETICALLY  
ALTERED SERTOLI CELLS

**RECEIVED**

**AUG 19 2002**

**TECH CENTER 1600/2900**

Assistant Commissioner for Patents  
Washington, DC 20231

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ORIGINALLY FILED**

**STATEMENT UNDER 37 C.F.R. §1.48(a)(4)**  
**ESTABLISHING RIGHT OF ASSIGNEE TO PROSECUTE**

In accordance with the provisions of 37 C.F.R. §1.48(a)(4), the assignee of all right, title and interest in and to U.S. Patent Application Serial No. 09/433,429, which is the subject of the accompanying Amendment and Petition to Add to Original Named Inventors, agrees to add two coinventors to the originally named inventors.

Specifically, the assignee, Sertoli Technologies, Inc. agrees to the addition of Paul Gores and Craig Halberstadt as named coinventors in the above-identified application.

Enclosed herewith is a copy of the assignment from the original inventor of the subject matter of the above-identified application which assignment was recorded at Reel 010568, Frame 0170 on February 7, 2000 in the U.S. Patent and Trademark Office.

A certification of assignee is also enclosed.

**Dated:** 10 June 2002

  
**Sertoli Technologies, Inc.**



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**Applicant(s):** Shaun A. Kirkpatrick      **Examiner:** Konstantina Katcheves  
**Serial No.:** 09/433,429      **Art Unit:** 1636  
**Filed:** November 4, 1999      **Docket:** 11160  
**For:** PRODUCTION OF A BIOLOGICAL      **Dated:** August 8, 2002  
FACTOR AND CREATION OF AN  
IMMUNOLOGICALLY PRIVILEGED  
ENVIRONMENT USING GENETICALLY  
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Assistant Commissioner for Patents  
Washington, DC 20231

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AUG 19 2002  
TECH CENTER 1600/2901

**AMENDMENT AND PETITION UNDER 37 C.F.R. §1.48(a)**  
**TO ADD TO ORIGINAL NAMED INVENTORS**

Sir:

This amendment and petition is to correct the original naming of inventor(s) which appears in the declaration submitted under 37 C.F.R. §1.48(a) filed on February 2, 2000.

Please add the following previously unnamed persons as inventors of this application:

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on August 8, 2002.

**Dated:** August 8, 2002

  
Michelle Mustafa

08/15/2002 NMOHAMM1 00000126 09433429

01 FC:122

130.00 OP

Paul Gores  
Craig Halberstadt

Accompanying this petition and amendment is a statement in accordance with 37 C.F.R. §1.48(a)(1) from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part; a declaration by each of the actual inventors as required by 37 C.F.R. §1.63. (37 C.F.R. §1.48(a)(2)); a statement of the assignee under 37 C.F.R. §1.48(a)(4); a certification of assignee under 37 C.F.R. §3.73 and a check in the amount of \$130.00 to cover the requisite fee under 37 C.F.R. §1.17(i). Any additional charges may be charged to Deposit Account No. 19-1013/SSMP. A duplicate copy of this submission is enclosed.

Respectfully submitted,



Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

PIB:dg



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**Applicant(s):** Shaun A. Kirkpatrick

**Examiner:** L. Gansheroff

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Assistant Commissioner for Patents  
Washington, DC 20231

**STATEMENT OF PAUL GORES**  
**UNDER 37 C.F.R. §1.48(a)(1)**

Sir:

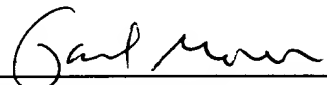
I, Paul Gores declare and say that:

(1) I have read the Petition to Add to Original Named Inventors under 37

C.F.R. §1.48(a) submitted with this statement;

(2) I was originally omitted as a named co-inventor of the subject matter embodied in the U.S. Patent Application Serial No. 09/433,429 due to an error which occurred without any deceptive intention on my part.

5/1/2004  
\_\_\_\_\_  
DATED

  
\_\_\_\_\_  
PAUL GORES, M.D.



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Examiner:** L. Gansheroff

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**STATEMENT OF CRAIG HALBERSTADT**  
**UNDER 37 C.F.R. §1.48(a)(1)**

Sir:

I, Craig Halberstadt declare and say that:

(1) I have read the Petition to Add to Original Named Inventors under 37  
C.F.R. §1.48(a) submitted with this statement;

(2) I was originally omitted as a named co-inventor of the subject matter  
embodied in the U.S. Patent Application Serial No. 09/433,429 due to an error which occurred  
without any deceptive intention on my part.

May 1, 2001  
DATED

Craig Halberstadt  
CRAIG HALBERSTADT, PH.D.



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Applicant(s): Shaun A. Kirkpatrick

Examiner: L. Gansheroff

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CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Sir:

1. I hereby certify that Sertoli Technologies, Inc. is the assignee of the entire right, title and interest in the patent application identified above.
2. The inventor in the above identified application has transferred his right, title and interest in and to the subject matter of the above-identified application by Assignment dated January 24, 2000 to Sertoli Technologies, Inc. which assignment is recorded at Reel 010568, Frame 0170.
3. The undersigned has reviewed all the documents in the chain of title of the patent applications identified above and, to the best of undersigned's knowledge and belief, Sertoli Technologies, Inc. has title in and to the above-identified application.
4. The undersigned is an Officer of Sertoli Technologies, Inc. and is thus empowered to sign this certificate on behalf of the assignee.

5. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

10 Jun 2002  
Dated

  
Alfred V. Vasconcellos, President & CEO